

Due Date: March 28, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|-------------------|
| Applicant: | David W. Kelleher | Examiner: | Khawar Iqbal |
| Serial No.: | 09/689,245 | Group Art Unit: | 2617 |
| Filed: | October 11, 2000 | Docket: | G&C 139.142-US-U1 |
| Title: | METHOD AND APPARATUS FOR CELLULAR INSTANT MESSAGING | | |

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1, 3, 5-11, 13, 15, 17, 19-25, 27, 29, 31, 33-39, 41, 43, 45, 47, 49, 51, 53 and 61-66 of the above-identified application, as set forth in the Office Action mailed November 28, 2006.

Please charge the amount of \$500.00 to Deposit Account No. 50-0494 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b).

Please charge any additional fees or credit any overpayment to Gates & Cooper LLP, Deposit
Account No. 50-0494.

Respectfully submitted,

David W. Kelleher

By their attorneys,

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Date: March 28, 2007

JSF/kmk

By: Jason S. Feldmar/
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